

REMARKS

Claims 11 and 19-30 are pending in the application. Claims 1-10 and 12-18 are canceled.

Claim 11 has been amended and new claims 19-30 have been added.

Support for amended claim 11 and the new claims is set forth in the following table.

Amended or New Claims	Before Amendments
11	1 + 11 + 12 + 13 + page 14, lines 5 to 17 of the description
19	2
20	3
21	4
22	5
23	8
24	9
25	10
26	14
27	14
28	15
29	Page 14, lines 3 to 5, of the description
30	Page 14, lines 5 to 11 of the description

Finality of Office Action

The Examiner designated the Office Action as a final action.

In a Decision on Petition dated May 10, 2004, the finality was removed.

Claim Rejections Under 35 U.S.C. § 103(a)

The examiner cited JP Publication No. 09-143062 (hereinafter “’062”) in view of *Ebert et al.*, WO 92/10154, both previously cited. The examiner stated that the ‘062 discloses a pressure-sensitive adhesive composition that contains the prescribed amounts of the acrylic adhesive agent, the polyhydric alcohol-containing liquid component, and the aliphatic acid metal salt. The examiner acknowledged that the ‘062 does not teach the combination of a polyhydric alcohol with a sorbitan ester compound and a metal salt. However, the examiner asserted that *Ebert* teaches penetration enhancers consisting of a sorbitan ester in combination with a C₁₋₄ aliphatic alcohol. The examiner concluded that one of ordinary skill in the art would have readily combined the sorbitan ester and the C₁₋₄ aliphatic alcohol with the polyhydric alcohol-containing liquid component to obtain the presently claimed invention.

Claim 11 recites that the adhesive tape having the constitution and composition as defined therein, as a whole, has a water vapor permeability controlled to at least 300 g/m²·day. This distinctive feature is not taught or suggested by the cited references.

Accordingly, the Examiner is respectfully requested to reconsider and remove the rejection.

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

RESPONSE UNDER 37 C.F.R. § 1.111
U.S. Application No. 09/744,684

Q62906

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.


Respectfully submitted,

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